

**IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF DELAWARE**

THOMAS A. EAMES, ROBERTA L. EAMES)	
and TAMMY EAMES, on behalf of)	
themselves and all others)	
similarly situated,)	
)	
Plaintiffs,)	C.A. No. 04-CV-1324KAJ
)	
v.)	
)	
NATIONWIDE MUTUAL INSURANCE)	
COMPANY,)	
)	
Defendant.)	

EAMES PLAINTIFFS' MOTION FOR CLASS CERTIFICATION

Plaintiffs Thomas A. Eames, Roberta L. Eames and Tammy Eames respectfully move, pursuant to Federal Rule of Civil Procedure 23 and, in particular, subdivision (b)(3) of that Rule, for an Order certifying the proposed class herein. Specifically, plaintiffs request that 1) the class be certified under Rule 23; 2) the named plaintiffs be appointed as representatives of that class; and 3) plaintiffs' counsel, Murphy Spadaro & Landon, be appointed as Class Counsel.

The grounds for this motion are set forth in the accompanying opening brief.

Respectfully submitted,

MURPHY SPADARO & LANDON

/s/ John S. Spadaro
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May 8, 2006

Attorneys for the Eames plaintiffs

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NOTICE OF SERVICE

I hereby certify that on this date, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF which will send notification of such filing(s) to the following:

BY HAND DELIVERY

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Attorneys for plaintiffs
Thomas A. Eames, Roberta L. Eames and
Tammy Eames (on behalf of themselves and
all others similarly situated)

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